

PROVISIONAL ELECTION AND
TRAVERSAL OF RESTRICTION REQUIREMENT

Responsive to the Election/Restriction Requirement dated May 7, 2007, the species identified as Species A described with respect to Figure 1 drawn to an optical polarizer film and the sub-species identified as Sub-species 2 directed to a conductive light blocking material are provisionally elected with traverse.

Claims 14-23 are believed to read on the elected species and sub-species.

Applicants reserve the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicants do not hereby abandon or waive any rights in the non-elected species.

The Restriction Requirement is still being traversed. The Restriction Requirement still does not comply with the Manual of Patent Examining Procedure (8th Edition, Revised August, 2006; "the MPEP") for reasons set forth in Applicants' February 8, 2007 Reply. The Examiner still has not enumerated any reasons (as distinguished from the mere statement of conclusion) why each invention as claimed is either independent or distinct from the others, and rather has simply stated that the enumerated species are "structurally different" from each other. Further, the Examiner still has not given any reason why examining all the claims together would be a serious burden for the Examiner. A mere statement of conclusion is inadequate for these purposes. See MPEP § 808.

Moreover, it should be noted that the features described in the claims of Species A-F already have been examined by the Office together, as evidenced by the three substantive Office Actions issued in this case. In particular, the Office mailed a Restriction Requirement dated February 10, 2005, an Action dated June 8, 2005, and a Final Action dated March 13, 2006. In each of the previous substantive Actions, the Office examined the claims of Species A-F together. There would be no additional or unusual burden on the Examiner to continue examination as it has been conducted so far in this case.

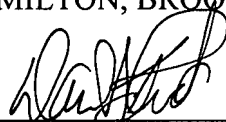
In view of the Examiner's previous four Actions, the recent mailing of yet another Office Action that still requires further election is a cause of concern to Applicants regarding the pace of prosecution. Piecemeal examination should be avoided as much as possible. MPEP § 707.07(g).

In view of the foregoing and in the absence of sufficient explanation of the restriction requirement and for its justification, Applicants maintain their request withdrawal of the requirement.

Respectfully submitted,

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